

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MINUTES OF PROCEEDINGS AND ORDER

<u>OnX USA, LLC,</u> Plaintiff, vs. <u>Louis Sciacchetano, et al.</u> Defendants.	DATE <u>08/27/2013</u> CASE NO. <u>1:11CV2523</u> COURT REPORTER: <u>n/a</u> MAGISTRATE JUDGE VECCHIARELLI
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Attys for Plaintiff: Barry Y. Freeman Gregory P. Amend	Attys for Defendant: Donna K. McElroy Tyler L. Mathews
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PROCEEDINGS: The court conducted a telephone conference on Tuesday, August 27, 2013 at 4:00 p.m. After hearing the parties' positions regarding the parties' discovery dispute, counsel for both parties agreed to the court's suggestion for preliminarily resolving the dispute. The court instructed the parties as follows:

1. By 12:00 p.m on Wednesday, August 28, 2013, the parties must file a joint proposal indicating an agreed upon date by which Plaintiff must submit a privilege log and a date by which Defendant must file objections to Plaintiff's privilege log. The privilege log must be detailed and include, at the very least, the identify and job title of the author(s) and recipient(s) of each document, a general description of the subject matter of each document, a description of each privilege asserted for each document, and an explanation of why the asserted privilege applies to the particular document. It is anticipated that the privilege log will be submitted around

September 11, 2013, or a few days thereafter, and the objections will be submitted a week later.

2. Counsel for both parties must arrange to meet in person within three (3) days after Defendant files objections to Plaintiff's privilege log to confer about specific documents in an attempt to narrow the number of documents in dispute.
3. The parties will conduct depositions as previously scheduled. The documents in issue may be used in deposition, but Plaintiff may place objections on the record to each question that relates to a document Plaintiff asserts as privileged. All testimony relating to a document asserted as privileged and the document will remain under seal until the court rules otherwise.
4. Following the exchange of Plaintiff's privilege log and Defendant's objections and after the settlement conference, the parties and the court will conduct a telephone conference to discuss how to proceed with the discovery dispute, including, but not limited to, whether any discovery will occur with regard to the privilege issue.

40 minutes

Total Time

s/ Nancy A. Vecchiarelli

Nancy A. Vecchiarelli

United States Magistrate Judge